

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRANSFIELD ER CAPE LTD.,

Plaintiff,

- against -

STX PAN OCEAN CO. LTD.,

Defendant.
-----X

Case No.: 09 CV 1250 (JGK)

ORDER TO SHOW CAUSE

PLEASE TAKE NOTICE, that upon the annexed Declaration of Christopher Carlsen dated February 19, 2009, and the attachments thereto, and upon the accompanying Memorandum of Law submitted on behalf of defendant STX PAN OCEAN CO. LTD. ("STX"), it is

Ordered that the defendant may amend its moving papers on 3/6/09 by paper and ten
ORDERED that the plaintiff show cause before the Honorable John G. Keenl, United States District Judge, at 500 Pearl Street, Courtroom 20C, New York, New York 10007-1302 on *March 12* the ~~February 24~~, 2009, at *3:00* o'clock a.m./p.m., or as soon thereafter as counsel can be heard why the following relief should not be granted:

1. An Order, pursuant to Supplemental Rule E of the Federal Rules of Civil Procedure and Rule E.1 of the Local Admiralty and Maritime Rules for the Southern and Eastern Districts of New York, vacating the Order of Maritime Attachment and Garnishment issued herein and dismissing the Verified Complaint;

2. Staying STX's time to respond to the Verified Complaint in this action until this Order to Show Cause, and related any appeal, is decided; and

3. For such further relief as the Court may deem just and appropriate in the circumstances.

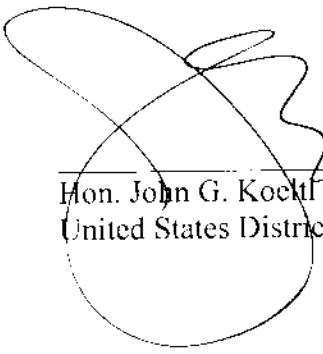
on 3/6/09 by paper and ten plaintiff and party

AND IT IS FURTHER ORDERED, that service of a copy of this Order and the papers upon which it is based be made by facsimile and email delivery to plaintiff's counsel, George M. Chalos, Chalos & Co., P.C. at their offices at 123 South Street, Oyster Bay, New York 11771 on or before ~~February~~ ^{March 6}, 2009 at 6 p.m.

Answering papers, if any, including but not limited to affidavits, affirmations, declarations and/or memorandum of law, shall be served so as to be received by counsel for the movant, Clyde & Co US LLP, 405 Lexington Avenue, New York, New York 10174 by either fax or email on or before the 10 day of ~~February~~ ^{March}, 2009, by 5 a.m./p.m..

Reply papers, if any, on behalf of movant shall be served by fax or email so as to be received by counsel for plaintiff at their offices as described above on or before 11 day of ~~February~~ ^{March}, 2009, by 5 a.m./p.m.

^{March 6, 2009.}
Dated: ~~February~~ ^{March 6}, 2009
New York, New York


Hon. John G. Koeltl
United States District Judge

TO: George M. Chalos, Esq.
Chalos & Co., P.C.
123 South Street
Oyster Bay, New York 11771
Tel: (516) 714-4300
Fax: (866) 702-4577
gmc@chaloslaw.com